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REFER TO OUR FILE #: 73028

April 9, 2008

Hon. Richard M. Berman
 United States Courthouse
 500 Pearl Street, Room 650
 New York, N.Y. 10007

Re: Perez vs. Amore, et al.
 08-CV-2375 (RMB)

Honorable Sir:

*Motion denied w. out prejudice.
 See Court's rules re: motions. We
 can discuss at 4/21/08 conference
 @ 9:15.*

SO ORDERED:
 Date: 4/11/08 *Richard M. Berman*
Richard M. Berman, U.S.D.J.

Enclosed please find a copy of the motion that was timely made in Bronx Supreme Court prior to the removal of this case by the defendant to federal court. The motion was pending at the time of the removal. Thus, we respectfully request that Your Honor decide the motion to extend the time to effect service upon the defendant Gaetano Amore, and to permit service upon either the carrier or defense counsel with respect to this defendant. Please note that in the interim since the motion was made my firm retained the services of a private investigator to attempt to locate the said defendant, to no avail.

Thank you for your consideration in this matter.

Very truly yours,

JACOBY & MEYERS, LLP

BY: *Eleanor L. Polimeni*
 ELEANOR L. POLIMENI, ESQ. of
 FINKELSTEIN & PARTNERS, LLP
 Of Counsel

USDC SDNY
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 DOC # _____
 DATE FILED: 4-11-08

Encl.

cc w/encl.: White Fleischner & Fino, LLP